


IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

AUG 15 2011

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERK

JULLIE A. TORRES, Individually and On Behalf
of Others Similarly Situated,

Plaintiff,

VS.

CIVIL ACTION NO. SA-11-CA-0165-FB

ALAMO HEALTHCARE SYSTEMS OF TEXAS,
L.P., ROBERT LOWRY, M.D., and THOMAS
D. PARTALAS, Individually and in their Official
Capacity,

Defendants.

ORDER OF DISMISSAL

Plaintiff filed her complaint in this case on March 1, 2011. On April 26, 2011, this Court entered an Order for Scheduling Recommendations and Advisory Concerning Magistrate Judge Assignment requiring the parties to submit a proposed scheduling order to the Court within 60 days after the appearance of any defendant (docket #8). The docket sheet reflects the defendants filed their answers on April 21, 2011 (docket numbers 5, 6 & 7), and therefore, the scheduling recommendations were due on or about June 20, 2011. On August 2, 2011, this Court entered a Show Cause Order (docket #9) advising the parties to file a proposed scheduling order by August 12, 2011, or show cause why the case should not be dismissed for lack of prosecution or for failure to comply with a court order. The parties were given notice this case would be dismissed if no response was received by the August 12 deadline.

The Court has checked the file in this case and the Court's electronic filing system and finds no response has been received to date. Accordingly, IT IS HEREBY ORDERED that this case is DISMISSED WITHOUT PREJUDICE for failure to prosecute and/or for failure to comply with a court order in accordance with FED. R. CIV. P. 41.

It is so ORDERED.

SIGNED this 15th day of August, 2011.


FRED BIERY
CHIEF UNITED STATES DISTRICT JUDGE